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प्राधिकार से प्रकाशित

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इस भाग में भिन्न प्रष्ठाएँ संख्या दी जाती हैं जिससे कि यह अलग संकलन
के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 19th December, 1988/Agrahayana 28, 1910 (Saka)

The following President's Act is published for general information:—

THE PACHAIYAPPA'S TRUST AND THE SCHEDULED PUBLIC TRUSTS AND ENDOWMENTS (TAKING OVER OF MANAGEMENT) AMENDMENT ACT, 1988

No. 13 of 1988

Enacted by the President in the Thirty-ninth Year of the Republic
of India.

An Act further to amend the Pachaiyappa's Trust & the Scheduled
Public Trusts and Endowments (Taking over of Management)
Act, 1981.

21 of 1988.

In exercise of the powers conferred by section 3 of the Tamil Nadu
State Legislature (Delegation of Powers) Act, 1988, the President is
pleased to enact as follows:—

1. (1) This Act may be called the Pachaiyappa's Trust and the Sched-
uled Public Trusts and Endowments (Taking over of Management)
Amendment Act, 1988.

(2) It shall come into force at once.

Short
title and
commencement.

Amend-
ment of
section 3.

2. In section 3 of the Pachaiyappa's Trust and the Scheduled Public Trusts and Endowments (Taking over of Management) Act, 1981 (hereinafter referred to as the principal Act), in sub-section (1), for the words "eight years", the words "nine years" shall be substituted.

Tamil
Nadu
Act 11
of 1981.

Amend-
ment of
section 8

3. In section 8 of the principal Act, for the words "eight years", occurring in two places, the words "nine years" shall be substituted.

R. VENKATARAMAN,
President.

—
S. RAMAIAH,
Secy. to the Govt. of Ind'a.

Reasons for the enactment

The Pachaiyappa's Trust and the Scheduled Public Trusts and Endowments (Taking over of Management) Act, 1981 (Tamil Nadu Act 11 of 1981) was enacted with a view to provide for the taking over of the management of Pachaiyappa's trust and of the public trusts and endowments specified in the Schedule to that Act on and from the 22nd December, 1980. In terms of sub-section (1) of section 3 of the said Act, the management of the Pachaiyappa's trust in so far as it vests in the Board of Trustees under the Pachaiyappa's trust scheme shall vest in the Government for a period of eight years and the said period of eight years expires on the 21st December, 1988.

2. At present, an Official Committee consisting of Government officials constitutes the Committee of management. The said Official Committee has been periodically meeting and it has streamlined the administration of the various educational institutions, constructed buildings, increased the rental income of the properties, discharged the outstanding loan liabilities and performed the religious Kattalais borne on the wills and testaments of testators regularly. The Official Committee also undertook the construction of a multi-storeyed building at a cost of Rs. 94.00 lakhs and named it after the testator, *viz.*, 'Govindu Maligai'. The annual rental income which was Rs. 20.91 lakhs at the time of take over has increased to about Rs. 60.00 lakhs and it includes the rental income from 'Govindu Maligai'.

3. The Official Committee also proposes to undertake the following additional construction programmes in the year to come in order to replace some of the thatched sheds in which classes are now conducted due to the inadequacy of pucca building:—

- (1) Construction of first floor building in the Pachaiyappa's Primary School at Chidambaram at a cost of about Rs. 1.25 lakhs;
- (2) Extension to the existing building in the Chengalvaraya Naicker Junior Basic School, Ooveri at a cost of about Rs. 50,000;
- (3) Construction of building for 6 class rooms in the Chellammal Women's College, Guindy at a cost of about Rs. 6 lakhs;
- (4) Construction of building for 4 class rooms in the Pachaiyappa's College for Women, Kancheepuram at a cost of about Rs. 4 lakhs;
- (5) Construction of building for class rooms in the C. Kandasami Naidu College for Men, Madras at a cost of about Rs. 6 lakhs;
- (6) Construction of building for class rooms in the C. Kandasami Naidu College for Women, Cuddalore at a cost of about Rs. 6 lakhs;
- (7) A proposal to set up an Industrial School in the Chengalvaraya Naicker Polytechnic, Madras by utilising the surplus funds available in the Chengalvaraya Naicker Estate is also under the consideration of the Committee; and

(8) The Committee is also contemplating the proposal for converting the building in which Pachaiyappa's College Higher Secondary School and Govindu Naicker Secondary School, Madras at Parry's Corner are located into shopping complex and for shifting the schools to the new proposed building in the nearby vacant site available, as this would increase the rental income for the trust. This is conceived as a long range programme.

4. Further, for the effective and efficient functioning of the said trust, and of the scheduled public trusts and endowments, it was considered necessary that the composition of the Board of Management, as provided for in the Pachaiyappa's trust scheme, should be changed. Accordingly, the Official Committee, has filed an application in the High Court, Madras for changing the composition of the Board of Management, and for making necessary changes in the scheme governing the said trust and endowments. The above application filed by the Official Committee is still pending in the Court.

5. It has, therefore, been considered necessary to extend the period of vesting of the management of the said trusts and endowments in the Government for a further period of one year beyond the 21st December, 1988 and to amend sections 3 and 8 of the Pachaiyappa's Trust and the Scheduled Public Trusts and Endowments (Taking over of Management) Act, 1981 (Tamil Nadu Act 11 of 1981) for the purpose.

6. Parliament has under article 357(1)(a) of the Constitution conferred on the President the power of the Legislature of the State of Tamil Nadu to make laws *vide* the Tamil Nadu State Legislature (Delegation of Powers) Act, 1988 (21 of 1988).

7. Under the proviso to sub-section (2) of the Tamil Nadu State Legislature (Delegation of Powers) Act, 1988, the President shall, before enacting any President's Act, whenever he considers it practicable to do so, consult the Committee constituted for the purpose consisting of the Members of both the Houses of Parliament. In view of the urgency of the matter it is not practicable to consult the said Committee. This measure is accordingly enacted without reference to the Committee.

J. D. GUPTA,
Joint Secy. to the Govt. of India,
Ministry of Human Resource Development.
(Department of Education).